

scanty urination; that it was efficacious in the treatment of rheumatic muscular pains or joint pains due to chronic prostatitis; that it was efficacious in the treatment of inflammation or catarrh of the bladder, inflammation of the pelvis of the kidney, kidney stone, or bladder stone, and urethritis; and that it would help purify the urinary passages, and help nature heal, were false and misleading since it was not efficacious for such purposes.

On June 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

383. Misbranding of grapefruit juice. U. S. v. 94 Cases of Grapefruit Juice. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 3516. Sample No. 4353-E.)

The label of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about December 27, 1940, the United States attorney for the Northern District of Illinois filed a libel against 94 cases of grapefruit juice at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 4, 1940, by Tolson Davies Co. from Brownsville, Tex.; and charging that it was misbranded. The article was labeled in part: "Perk-Up * * * Unsweetened Grapefruit Juice."

The article was alleged to be misbranded in that the statements, "Recommended * * * as a help in the prevention of colds and * * * also helpful in keeping the system on the 'alkaline side,'" were false and misleading. It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 1904.

On February 3, 1941, the Tolson Davies Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be properly relabeled.

384. Misbranding of Kru-Lax. U. S. v. 270 Packages of Kru-Lax. Default decree of condemnation and destruction. (F. D. C. No. 2293. Sample No. 9759-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On June 28, 1940, the United States attorney for the Northern District of Alabama filed a libel against 270 packages of Kru-Lax at Birmingham, Ala., alleging that the article had been shipped in interstate commerce on or about May 22, 1940, by the Oriental Laboratory from St. Louis, Mo.; and charging that it was misbranded.

Analysis showed that it consisted of Epsom salt, sulfur, and ground plant material including licorice, anise, buchu, and laxative plant drugs.

The article was alleged to be misbranded in that the following statements appearing in the circular distributed with it were false and misleading since it was not efficacious for the purposes recommended: "Oriental Herbal Compound * * * to relieve constipation * * * The usual cause of the following ailments: Stomach: Indigestion, Dyspepsia, Bloating, Headache, Heartburn, Palpitation, Gas Pains. Liver: Biliousness, Dizzy Spells, Sluggishness. Kidney: Rheumatism, Pain in Neck, Shoulders, Arms, Arthritis, Lumbago, Sciatica, Gout, Prostate Trouble. Female Complaints. Bladder: Inflammation and Getting Up at Night. Skin: Pimples, Blackheads, Boils, Rash, Itching. Blood: Thin, Weak, High or Low Blood Pressure. Bowels: Piles, Tape Worm, Appendicitis, Colic, Overweight, Underweight. * * * A person with proper working bowels will never have appendicitis. If the liver is working properly will never catch cold. With properly working bowels and liver the germs of tuberculosis, cold, catarrh, typhoid or any other forms of contagious or acute disease cannot gain foothold in the system. It has been tested and proved to be a fact. We claim Kru-Lax will regulate the bowels and liver. If you just realize what constipation means to your health, or the health of some loved one, if you just knew from the medical viewpoint the human wreckage that is charged to constipation, you would not lose a moment in trying a package of this wonderful remedy. It is so little in price but so great aid to general health. Try it and be convinced."

On July 31, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

385. Misbranding of Natural Mineral Extracts. U. S. v. 38 Bottles of Natural Mineral Extracts. Default decree of condemnation and destruction. (F. D. C. No. 1888. Sample No. 4661-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On May 6, 1940, the United States attorney for the Northern District of Indiana filed a libel against 38 bottles of Natural Mineral Extracts at Whiting, Ind., alleging that the article had been shipped in interstate commerce on or about February 13, 1940, by Colonial Drug Co. from Tulsa, Okla.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of ferric sulfate and water with small proportions of aluminum, calcium, and magnesium compounds.

The article was alleged to be misbranded in that representations in the labeling that it was efficacious to maintain the mineral balance, keep the system in perfect health, give new life to weakened and general run-down conditions of the system and resistance against attacks of germs and infection, that it was efficacious as a tonic for run-down, anemic conditions; that it was efficacious in the treatment of indigestion, stomach, liver, and intestinal disorders, ulceration of the stomach, kidney and bladder disorders, female trouble, high blood pressure, rheumatism, and many other run-down conditions of the blood; that it was efficacious in the external treatment of eczema and other skin conditions, was efficacious in the treatment of sore throat, tonsillitis, bleeding gums, enlarged prostate glands of old and middle-aged men; internal hemorrhoids, bleeding piles, old sores, pimples, carbuncles, toothache, itch: that it would stop the flow of blood instantly; and that it was efficacious when administered internally as a blood purifier, that it would bring comfort and health and was efficacious for general debility and many other chronic ailments, were false and misleading since it would not be efficacious for the purposes recommended.

On June 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

386. Misbranding of Natural Ray Mineral Water. U. S. v. 280 Cases and 13 Bottles of Natural Ray Mineral Water. Default decree of condemnation. Water dumped and bottles sold. (F. D. C. No. 1099. Sample Nos. 75476-D, 75477-D.)

The labeling of this product bore false and misleading representations regarding its efficacy for the conditions indicated below.

On November 29, 1939, the United States attorney for the Eastern District of Ohio filed a libel (and on December 20, 1939, an amended libel) against 280 cases each containing 6 half-gallon bottles and 135 gallon bottles of the above-named product at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about August 11, 1939, by the Natural Ray Mineral Water Co. from St. Louis, Mich.; and charging that it was misbranded.

Examination showed that the article was a moderately mineralized water, slightly alkaline, the mineral constituents consisting for the most part of calcium bicarbonate, calcium sulfate, and magnesium sulfate with small proportions of other inorganic constituents.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading, since it was not efficacious for the purposes recommended: (Label attached to the ½-gallon and 5-gallon bottles) "Natural Ray Mineral Water From the Spring of Michigan Magnetic Mineral Water Co."; (label attached to 5-gallon bottles only) "* * * it has proven remarkably successful in the treatment of rheumatism, uric acid and kidney disorders"; and (bags enclosed in the case with ½-gallon bottles) "Natural Ray Mineral Water Will Help you Maintain as Well as Regain Your Health * * * Successfully used for seventy years in the treatment of constipation-uric acid-stomach-kidney troubles-and rheumatic conditions. * * * When used primarily as a Health Water, serve at room temperature."

On September 23, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the water be dumped and the bottles sold.

387. Misbranding of Naturzelp. U. S. v. 34 Bottles of Naturzelp. Consent decree of condemnation and destruction. (F. D. C. No. 1862. Sample No. 3207-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On April 25, 1940, the United States attorney for the Western District of New York filed a libel against 34 bottles of Naturzelp at Arcade, N. Y., alleging that the article had been shipped in interstate commerce on or about January 1, 1940, by the Neutro Distributing Association from Columbiana, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of Epsom salt, sodium salicylate, and extracts of plant drugs including licorice and a laxative plant drug.